

Remarks

With the entry of this Amendment, claims 11-30 are currently pending in the application. Independent claim 11 has been amended to more particularly point out that the pressing member includes at least one pressing portion that provides force to the conveying roller shaft. Allowable claim 13 has been rewritten into independent form to incorporate all of the subject matter of previously presented claim 11. Claims 12, 14 and 16-21 have been amended to depend from allowable claim 13. Claim 24 has been amended to depend from allowed claim 22. New claims 26-30, which are dependent upon amended claim 11, have been added to correspond to the subject matter of claims 12, 17, 18, 20 and 21, respectively.

Amended claims 11-14, 16-21, 24 and new claims 26-30 are at least supported by the original claims, Figs. 1, 7-12 and 14 and specification paragraph [0073]. Accordingly, no new matter has been added.

Claim Rejections - 35 U.S.C. § 112

The Examiner rejected claim 14 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner asserted that the phrase “said plurality of guide pieces” in lines 1-2 lacks antecedent basis. Applicant has amended claim 14 to depend from allowable claim 13. Allowable claim 13 recites, *inter alia*, that “a plurality of guide pieces” are coupled with the shaft. This recitation in claim 13 provides proper antecedent basis for the recitation of “said plurality of guide pieces” in lines 1-2 of claim 14. Therefore, the rejection of claim 14 as being indefinite should be withdrawn.

Applicant respectfully submits that claim 14, as amended, is in full compliance with the requirements of 35 U.S.C. § 112, second paragraph, and requests that the rejections under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim Rejections - 35 U.S.C. § 102(b)

The Examiner rejected claims 11, 12, 16, 19, 20, 24 and 25 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,129,749 (Sato). The Examiner asserts that Sato discloses each and every element of these claims. Applicant respectfully submits that the rejection of claims 12, 16, 19, 20, 24 and 25 is moot in view of the amendments changing the dependency of

these claims to allowable claim 13 or allowed claim 22. Further, Applicant respectfully traverses the rejection of claim 11, as amended.

Claim 11, as amended, is directed to a medium conveying apparatus and recites:

a conveying roller shaft movable along a direction corresponding to the thickness of a medium when the medium is conveyed; and
a pressing member extends along a length of said shaft and is made of a rigid material and presses the conveying roller shaft, wherein said pressing member includes at least one pressing portion that provides force to said conveying roller shaft.
[Emphasis added]

Applicant respectfully submits that Sato does not disclose each and every element of claim 11, as amended. Specifically, Sato does not disclose a pressing member that extends along a length of said shaft, is made of a rigid material, presses the conveying roller shaft, and includes at least one pressing portion that provides force to the conveying roller shaft, as is recited in amended claim 11. In paragraph 4 on page 2 of the Office Action, the Examiner identifies the bearing pieces 4 and the shaft 2a of the upper roller 2 of Sato as the pressing member and the conveying roller shaft, respectively. Therefore, consistent with the Examiner's interpretation, the bearing pieces 4, or pressing member, provide force directly to the shaft 2a, or the conveying roller shaft. As a result, Sato does not disclose that the bearing pieces 4, or pressing member, includes at least one pressing portion that provides force to the conveying roller shaft via the at least one pressing portion, as is recited in amended claim 11. Conversely, Sato discloses the pressing member, not at least one pressing portion, provides force to the conveying roller shaft.

Sato fails to disclose each and every element of amended claim 11. Applicant respectfully submits that amended claim 11 is not anticipated by Sato, or any other reference currently of record, and is, therefore, in condition for allowance.

New Claims 26-30

Applicant has added new claims 26-30. New claims 26-30, which are dependent upon amended claim 11, incorporate the subject matter of claims 12, 17, 18, 20 and 21, respectively.

Applicant respectfully submits that claims 26-30 are patentable over Sato for at least the same reasons discussed above for amended claim 11.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 22 and 23 are allowed, that claims 13, 15, 17, 18 and 21 would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims, and that claim 14 would be allowable if rewritten to overcome the indefiniteness rejection and to include all of the limitations of the base claim and any intervening claim.

Accordingly, allowable claim 13 has been rewritten into independent form to incorporate all of the subject matter of previously presented claim 11. Claims 12, 14 and 16-21 have been amended to depend from allowable claim 13. Therefore, Applicant respectfully submits that claims 12-21 are in condition for allowance.

Further, claim 24 has been amended to depend from allowed claim 22. Claim 25 depends from claim 24. Therefore, Applicant respectfully submits that claims 22-25 are also in condition for allowance.

Conclusion

In view of the foregoing Amendment and remarks, Applicant respectfully submits that the present application, including claims 11-30, is in condition for allowance and such action is respectfully requested.

Respectfully submitted,
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